

January 2, 2026

Corporation of Shepherdstown
P.O. Box 248
108 N. King Street
Shepherdstown, WV 25443

Attn: Amy L. Boyd, Town Clerk

Re: Earl Young, Samantha Young, Garry Shipley, and Michelle Shipley Petition For Annexation

Dear Ms. Boyd:

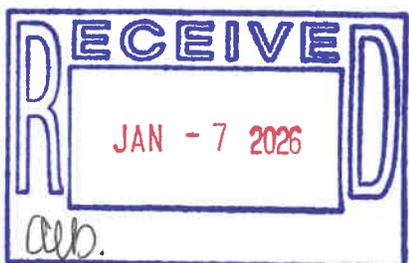
On behalf of Earl Young, Samantha Young, Garry Shipley, and Michelle Shipley, I have attached a Petition seeking annexation of two parcels containing 4.37 acres adjacent to the eastern boundary of Shepherdstown.

It is requested that this Petition be placed on the agenda for the Council's February meeting and that it proceed in accordance with the Town's practices.

Please contact me should you have any questions.

Sincerely,

Eric C. Gavin, Esq.



PETITION FOR ANNEXATION

TO: The Honorable James Gatz, Mayor
Town Council Members

FROM: Earl Young, Samantha Young, Garry Shipley, and Michelle Shipley

DATE: January 2, 2026

Earl Young, Samantha Young, Garry Shipley, and Michelle Shipley (the “Petitioners”) petitions the Corporation of Shepherdstown (“the Town”), pursuant to West Virginia Code §8-6-4 (Annexation without an election), to annex two (2) contiguous parcels of real estate (the “Property”) containing 4.37 acres in the aggregate.

The Property is located between the south side of High Street, and the north side of River Road, in the Shepherdstown Magisterial District and is contiguous with the municipal boundary of the Town of Shepherdstown.

The Property was conveyed, in a Deed from Michael G. Kalathas, individually, and as Executor of the Estate of George Kalathas, deceased, Nicholaos George Kalathas, also known of record as Nicholas George Kalathas, Christina G. Kalathas, and Odessa Kalathas, to Earl C. Young, Samantha P. Young, Garry H. Shipley, and Michelle A. Shipley, in a Deed dated September 8, 2023, and recorded September 15, 2023, in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 1308, at page 687. The Property has, at this time, tax identification numbers 19-09-0008-0041-0000 & 19-09-0008-0044-0001.

OWNERSHIP

The Petitioners are the sole freeholders of the Property. The entire western boundary of the Property (596.46 feet) is adjacent to and contiguous with the existing municipal boundary of the Town. The two adjacent parcels, within the corporate boundary of the Town, are owned by (the Estate of) Herbert E. May and by Shepherdstown Day Care, Inc. which are shown on the Jefferson County tax maps as 19-10-0003-0144-0000 & 19-10-0001-0088-0000.

QUALIFIED VOTERS

The Property is unoccupied; there are no persons/voters who reside on the property.

REQUIREMENTS OF TITLE 9 OF THE TOWN CODE

In accordance with the provisions of Section 9-1424, Annexation, of the Town Code, the Petitioners submit the following information:

BASIS FOR ANNEXATION REQUEST

These parcels are within the Town's urban growth boundary. The Property is currently unimproved. The Petitioners desire to annex the Property and begin construction of a 148 Unit Condominium for owners 55+ years old. A more detailed development plan will be provided once development is ready to proceed.

LEGAL DESCRIPTION AND PLAT

Legal description of the Properties, and plats, prepared by Civil & Environmental Consultants, Inc., dated December 9, 2025, are attached to this petition as Exhibits A through D. The legal description for Parcel 19-09-0008-0041-0000 is attached as Exhibit A and the plat as Exhibit B. The legal description for Parcel 19-09-0008-0044-0001 is attached as Exhibit C and the plat as Exhibit D.

STATEMENT OF PROJECTED IMPACTS TO THE TOWN

1. **Utilities.** Water and sewer services are or will need to be furnished to the Property by the Town, the costs of which were or shall be paid by the Petitioners. Electric service to the Property shall be furnished by Potomac Edison. Internet services to the property shall be furnished by Comcast or other telecommunication company servicing the area.
2. **Proffers.** No proffers will be made to the Town.
3. **Financial Impact.** There is no anticipated detrimental financial impact to the Town resulting from the annexation of the Property. The overall project will be a financial benefit to the Town from various sources. The Town will receive significant additional real estate taxes and additional residential living within walking distance of shops and restaurants within the Town. The Petitioners envision a modest convenience store located on site which will provide additional tax revenue for the Town.

4. **Traffic Study.** The West Virginia Department of Transportation has informed the engineering firm, Civil & Environmental Consultants, Inc., that the State is not interested in conducting a traffic study. The Annexation of the Property, once developed, will generate additional traffic. The Petitioners propose to create a sidewalk along the length of their property up to the Town sidewalks and proposes that the Town improve its existing sidewalks to that sidewalk extension. Such extension would provide residents with the opportunity to walk to downtown shopping and restaurants while reducing traffic impacts. No school or bus traffic to the Property is anticipated.

5. **Adequate Public Facilities.** The Petitioners are aware that the annexation and subsequent development will result in increased water, and sanitary sewer, through the Town systems. Any such increase would be subject to review and approval by the appropriate commissions of the Town. The Property is located close to the Town sanitary sewer treatment plant and sewer lines, of sufficient size, are pre-existing on the Property. The engineering firm, Civil & Environmental Consultants, Inc. has informed the Petitioners that the Town has stated, by and through its officers, that the Town systems have adequate capacity. The development plan for a 55+ condominium is anticipated to use significantly less water per unit than the average single-family home, because of less residents per unit and the lack of private yards and gardens to water and maintain.

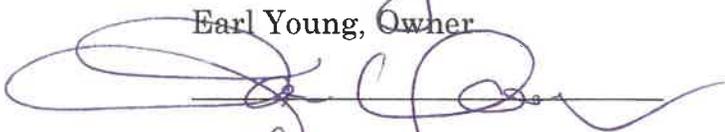
6. **Zoning.** If annexed, these parcels would be zoned R-1, but a request for re-zoning will accompany the development plan.

SUMMARY

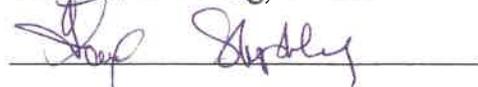
For the above reasons, the Petitioners respectfully pray that the Town Council approve this Petition.



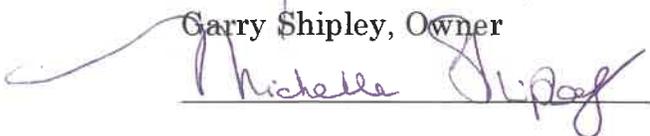
Earl Young, Owner



Samantha Young, Owner



Garry Shipley, Owner



Michelle Shipley, Owner

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to-wit:

The foregoing Petition For Annexation was acknowledged before me in my said county and state by Earl Young, Samantha Young, Garry Shipley, and Michelle Shipley, Owners, this 2nd day of January, 2026.



Notary Public

My commission expires: September 29, 2028

Prepared and submitted by:



Eric C. Gavin, Esq.
217 S. Duke Street, Suite 100
Shepherdstown, WV 25443
(304) 519 9200
West Virginia Bar No. 14558

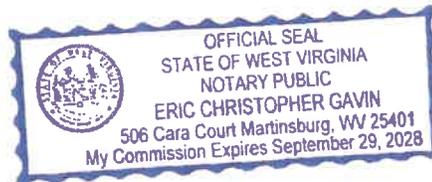


EXHIBIT A



Civil & Environmental Consultants, Inc.

**DESCRIPTION OF ANNEXATION AREA
EARL C. YOUNG, SAMANTHA P. YOUNG,
GARRY H. SHIPLEY, AND MICHELLE A. SHIPLEY
DEED BOOK 1308, PAGE 687, FIRST PARCEL
SHEPHERDSTOWN DISTRICT, JEFFERSON COUNTY, WV
TAX MAP 8, PARCEL 41**

A tract or parcel of land situate on the south side of High Street, approximately eight hundred (800) feet from its intersection with College Street in Shepherdstown District, Jefferson County, West Virginia.

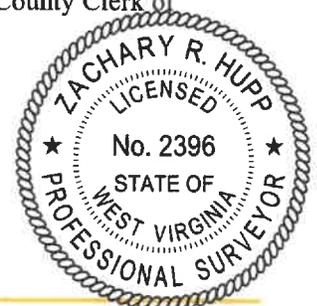
BEGINNING for the outline hereof, tracts or parcels of land situate south of High Street in the Shepherdstown District of Jefferson County, West Virginia, at a 5/8-inch Rebar and Cap found, from which a 5/8-inch Rebar and Cap, found at a corner of two (2) tracts of Earl C. Young, et al (Deed Book 1308, page 687) and in a line of Herbert E. May Estate bears North 17°27'02" East at 223.78 feet, thence with other lands "Fronting High Street Extended, First Parcel" of Earl C. Young et al. (Deed Book 1308, page 687);

1. South 19°05'26" West 269.04 feet to a 1-Inch Iron Rod found being the northeast corner of the lands of the Shepherdstown Day Care Center, Inc. (Deed Book 1163, page 694), from which a 5/8-inch Rebar, found on the northern right-of-way for County Route 17/1, bears South 19°05'26" West at 312.50 feet, thence with Shepherdstown Day Care Center, Inc.;
2. North 79°07'27" West 60.00 feet to a point being North 72°59'58 East 0.59 feet from a 5/8" Rebar found, said point being a corner for the lands of Herber E. May Estate (Deed Book 184, Page 452), thence with the eastern boundary of the lands of Herbert E. May;
3. North 19°05'26" East 269.04 feet to a 5/8-inch by 30-inch Iron Reinforcing Rod with a yellow plastic cap stamped "CEC, INC. 304-933-3119" hereinafter referred to as "Rebar", set, in the southern right of way for High Street, thence with the southern right of way for High Street;
4. South 79°07'27" East 60.00 feet to the place of beginning, containing 0.37 acres, more or less, as surveyed by Civil and Environmental Consultants, Inc., in June-November 2025, as shown on a PLAT SHOWING PROPOSED ANNEXATION FOR EARL C. YOUNG, et al and made a part of this description.

Being part of the lands included in the being clause of lands conveyed by Michael G. Kalathas unto Earl C. Young, et al., by deed dated September 8, 2023, and recorded in the office of the County Clerk of the Jefferson County Commission in Deed Book 1303 at page 687.

December 9, 2025

Zachary R Hupp





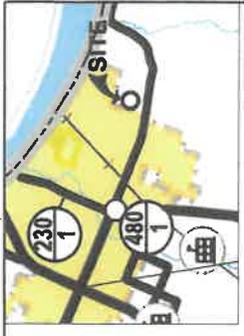
THIS MAP IS BASED UPON THE RECORDS OF THE REGISTERED PROFESSIONAL SURVEYOR AND ENGINEER, JEFFERSON COUNTY, WEST VIRGINIA, AS DETERMINED BY THE COUNTY CLERK OF JEFFERSON COUNTY, WEST VIRGINIA, AND THE RECORDS OF THE REGISTERED PROFESSIONAL SURVEYOR AND ENGINEER, JEFFERSON COUNTY, WEST VIRGINIA.

BEING THE SAME TRACTS OF LAND OWNED BY EARL C. YOUNG ET AL FROM WASHINGTON, DISTRICT OF COLUMBIA, AS BY A DEED DATED THE 2ND DAY OF SEPTEMBER, 2023, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF JEFFERSON COUNTY, WEST VIRGINIA, IN DEED BOOK 1500, PAGE 887.

BEING ALONG THE SOUTHERN SIDE OF HIGH STREET APPROXIMATELY 800 FEET FROM THE INTERSECTION OF HIGH STREET AND COLLEGE STREET, IN SHEPHERDSTOWN DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CEC, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON. UTILITY EASEMENTS AND/OR UNDERGROUND UTILITIES MAY EXIST ON THIS PROPERTY THAT HAVE NOT BEEN VERIFIED BY THIS SURVEY.

ALL PARCEL OWNERSHIP WAS OBTAINED FROM THE JEFFERSON COUNTY CLERK'S OFFICE. THE ACCURACY OF THIS MAP TO IDENTIFY AND STATE OWNERSHIP OF ADDRESSES, PARCELS, THE ADDRESSES, NAMES, AND LINE LOCATIONS ARE ONLY LISTED ON THIS MAP TO MORE CLEARLY SHOW THE PHYSICAL LOCATION



- EXISTING LEGEND**
- DOTTED PROPERTY LINE
 - DOTTED ADJACENT PROPERTY LINE
 - DOTTED RIGHT-OF-WAY
 - ADJACENT TOWN OF WEST VIRGINIA, DEED BOOK 1500, PAGE 887
 - ADJACENT TOWN OF WEST VIRGINIA, DEED BOOK 1500, PAGE 887
 - ANNEXATION AREA



Jeffrey R. Hupp
 ZACHARY R. HUPP, P.S. #2396 DATE 12/19/23



788 Foxcroft Ave.
 Martinsburg, WV 25401
 Ph: 304-898-7600
 www.cecinc.com

**PLAT SHOWING
 PROPOSED ANNEXATION
 EARL C. YOUNG et al
 DISTRICT 9, MAP 8, PARCEL 41**

DATE: 12/19/23
 DRAWN BY: J. HUPP
 CHECKED BY: J. HUPP
 APPROVED BY: J. HUPP
 SHEPHERDSTOWN DISTRICT
 DEED BOOK 1500, PAGE 887
 JEFFERSON COUNTY, WV



EXHIBIT B

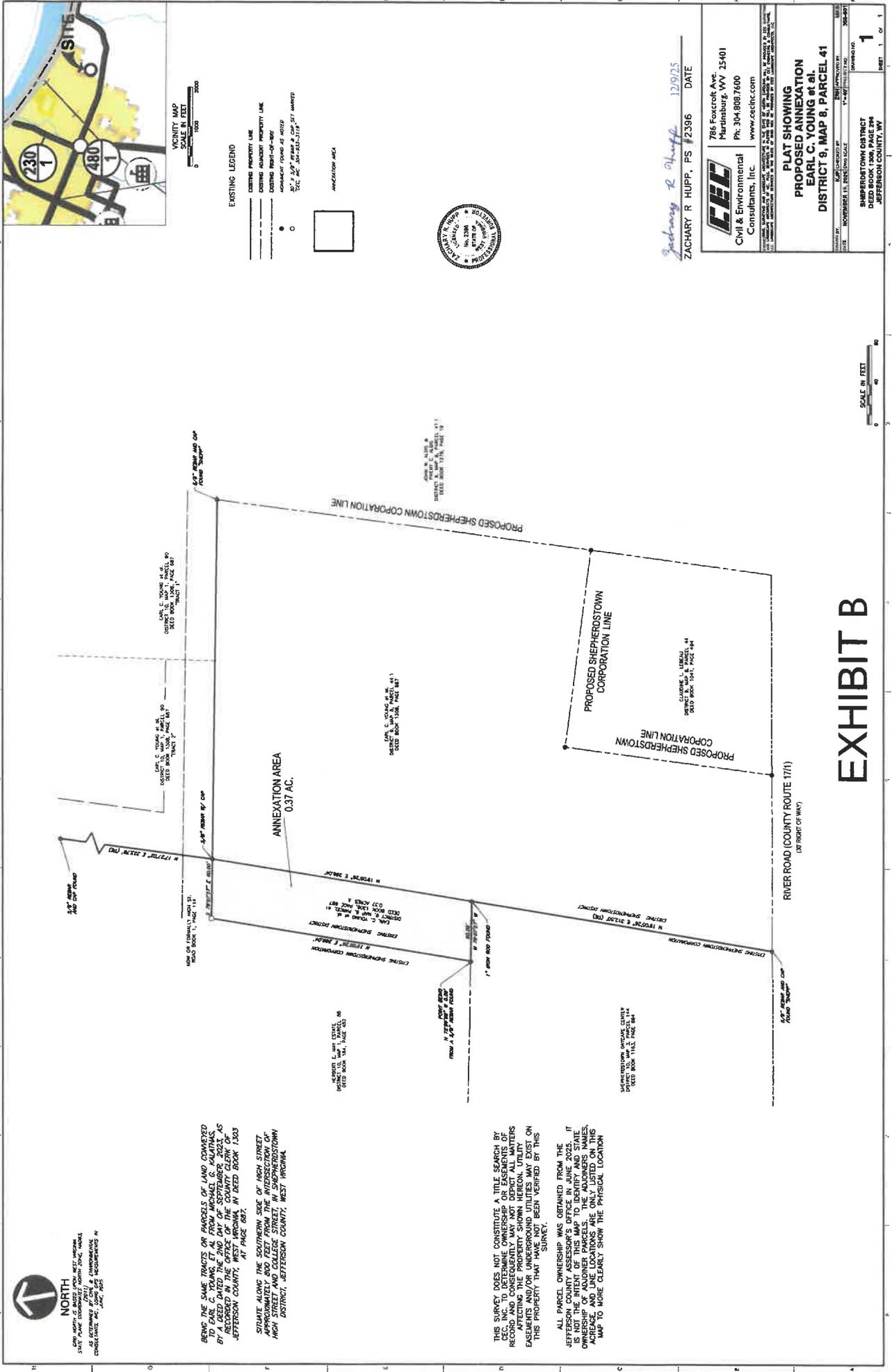


EXHIBIT C



Civil & Environmental Consultants, Inc.

**DESCRIPTION OF ANNEXATION AREA
EARL C. YOUNG, SAMANTHA P. YOUNG,
GARRY H. SHIPLEY, AND MICHELLE A. SHIPLEY
DEED BOOK 1308, PAGE 687, SECOND PARCEL
SHEPHERDSTOWN DISTRICT, JEFFERSON COUNTY, WV
TAX MAP 8, PARCEL 44.1**

A tract or parcel of land situate north of River Road at its intersection with Valley Court in Shepherdstown District, Jefferson County, West Virginia.

BEGINNING for the outline hereof, tracts or parcels of land situate north of River Road in the Shepherdstown District of Jefferson County, West Virginia, at a Capped Rebar “Shepp” found at or near the northern right of way for River Road (County Route 17/1), said point being at or near the southeast corner of the lands of Shepherdstown Day Care Center, Inc. as described in a deed dated the 10th day of September, 2015 and recorded in the office of The County Clerk of Jefferson County, West Virginia in Deed Book 1163 at page 694, thence departing River Road and continuing with the eastern boundary of the lands of Shepherdstown Day Care Center, Inc and in a straight line with other lands of Earl C. Young et al.;

1. North 19°05'26" East 581.54 feet, passing an 1-inch Iron Rod at 312.50', to a rebar and cap, found, being a corner to the lands of Herbert E. May Estate (Deed Book 184, page 452) and “Tract 2” of other lands of Earl C. Young, et al. (Deed Book.687, page 687), from which a 5/8-inch Rebar, found at a corner of Earl C. Young, et al, bears North 17°27'02" East at 223.78 feet, thence with the other lands of Earl C. Young, et al.;
2. South 79°15'39" East 362.07 feet to a 5/8-inch rebar and cap found “Shepp” at the northwest corner of the lands of John W. and Pheny C. Aldis (Deed Book 1276, Page 19), from which a Stone, found at a corner of John W. and Pheny C. Aldis (Deed Book 1276, Page 19), bears North 79°38'21" West at 188.48 feet, thence with the western line of the land of John W. and Pheny C. Aldis (Deed Book 1276, Page 19);
3. South 17°25'20" West 385.53 feet to a 5/8-inch rebar and cap found “PLS699” at the northeast corner of the lands of Claudine L. Lebeau (Deed Book 1047, Page 494), thence with the northern and western boundary of the lands of Claudine L. Lebeau (Deed Book 1047, Page 494) for the following two (2) courses;
4. North 72°36'37" West 200.21 feet to a 5/8-inch rebar and cap found, “PLS699”, thence;

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5. South 17°22'23 West 214.25 feet, to a 5/8-inch rebar and cap found "BSA" at or near the northern right of way of River Road, thence with River Road for the remainder;
6. North 80°10'18" West 178.07 feet to the place of beginning, containing 3.94 acres, more or less, as surveyed by Civil and Environmental Consultants, Inc., in June-November 2025, as shown on a PLAT SHOWING PROPOSED ANNEXATION FOR EARL C. YOUNG, et al and made a part of this description.

Being part of the lands conveyed by Michael G. Kalathas unto Earl C. Young, et al., by deed dated September 8, 2023, and recorded in the office of the County Clerk of the Jefferson County Commission in Deed Book 1303 at page 687.

December 9, 2025



Zachary R Huff

